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Docket No. 500.42938X00

Serial No. 10/618,749

Office Action dated November 3, 2006REMARKS

By the present Amendment, claims 1, 6, and 10-15 have been amended, and claim 9 canceled. Claims 18-25 are newly presented for consideration. Accordingly, claims 1-8 and 10-25 are now pending in the application. Claims 1, 6, and 10-15 are independent.

In the Office Action of November 3, 2006, claims 1-17 were rejected under 35 USC §103(a) as being unpatentable over U.S. Patent Publication Application No. 2002/0101519 to Myers in view of U.S. Patent No. 6,331,872 issued to Hyuga. This rejection is respectfully traversed.

In rejecting the claims, the Office Action alleges that Myers discloses most of the limitations recited in the independent claims. With respect to independent claim 1, for example, the Office Action alleges that Myers discloses a camera system that includes a portable device and a camera, wherein the portable device includes a receiver unit to receive image data photographed by the camera. A writer unit is provided to write the received image data in memory. The Office Action further alleges that Myers discloses a transmitter unit to transmit the photographed image data to the portable device. The Office Action admits that Myers fails to disclose that the portable device has a memory unit to store an ID for identification of the portable device and a transmitter unit to transmit the ID to the camera. Hyuga is relied upon for disclosing these particular features.

By the present Amendment, Applicants have revised independent claim 1 to include features that are not shown or suggested by the art of record. As amended, independent claim 1 now defines a camera system having a portable device and a camera. The portable device comprises:

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a receiver unit to receive image data photographed by the camera;

a writer unit to write the received image data in a memory medium;

a memory unit to store an ID for identification of the portable device; and

a transmitter unit to transmit the ID to the camera,
said camera comprising:

a receiver unit to receive the ID from the portable device;

an image pick-up unit to start image pick-up operation when receiving the ID; and

a transmitter unit to transmit the photographed image data to the portable device;

wherein said portable device transmits said ID to said camera at intervals of a constant time.

According to independent claim 1, the portable device of the camera system includes a receiver unit, a writer unit, a memory unit, and a transmitter unit. The receiver unit receives image data photographed by the camera, while the writer unit writes the received image data in a memory medium. The memory unit is used to store an ID for identification of the portable device. The transmitter unit transmits the ID to the camera. Further, the camera includes a receiver unit to receive the ID from the portable device, an image pickup unit to initiate image pickup when the ID has been received, and a transmitter unit to transmit the photographed image data to the portable device. Additionally, the portable device is configured such that it transmits the ID to the camera at constant time intervals. As discussed in the Specification, at least one benefit achieved by such an arrangement is an ability to take photographs of subjects with a natural expression. More particularly, by transmitting the ID at constant time intervals, the camera will photograph the subject at regular intervals without the subject being consciously aware and possibly posing for the camera.

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Rather, the subject will be captured in a more natural posture with natural expressions. See page 9, lines 10-19.

The Office Action alleges that Myers and Hyuda disclose the features of independent claim 1. Regarding independent claim 9 (which has now been incorporated into independent claim 1), the Office Action further alleges that Myers discloses the use of a transponder to transmit the ID to the camera. The Office Action appears to conclude that this is equivalent to transmitting the ID to the camera at constant time intervals, because it alleges "when the transponder is in range of the camera, the transponder transmits the ID at a constant interval." Reference is directed to paragraph [0018] of Myers. This does not appear to be the case.

Myers clearly fails to provide any disclosure or suggestion for transmitting the ID at constant time intervals. In fact, the passage cited in the Office Action appears to have been misconstrued. Myers discloses a generator that generates and transmits a signal encoding an identification code predesignated to correspond to, and to identify, the identified object. See page 2, column 1, lines 1-4. However, Myers is completely silent about transmitting the ID at constant time intervals. In fact, Myers appears to teach away from such a concept because the examples indicate that the idea is transmitted once the person reaches a designated area (i.e., a location where the generator is in the proximity of the associated detection unit). See paragraph [0035].

The Office Action's interpretation of Myers also appears to be based purely on hindsight, which is impermissible. Myers is clearly silent on transmitting the ID at constant time intervals. However, it would also not be obvious to transmit the ID at regular time intervals because such operation would tend to quickly deplete the

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power supply of the portable device. Thus, conventional design would lead one to minimize the number of times the ID is transmitted in order to conserve power.

Additionally, the instant configuration has a benefit of being available for use as a security monitoring system. For example, by providing all guests of an amusement park with a portable device, photographs would be taken at regular intervals without the knowledge of the guests. In the event of a crime, the photographs could be retrieved from the storage database because pictures are constantly taken at regular intervals without the knowledge of the person carrying the portable device. The art of record simply fails to provide any disclosure or suggestion for features of independent claim 1 such as "wherein said portable device transmits said ID to said camera at intervals of a constant time."

It is therefore respectfully submitted that independent claim 1 is allowable over the art of record.

Claims 2-5, 8, 9, and 18 depend from independent claim 1, and are therefore believed allowable for at least the reasons set forth above with respect to independent claim 1. In addition, these claims each introduce novel elements that independently render them patentable over the art of record.

Independent claim 6 defines a camera system having a portable device and a server. The portable device comprises:

- a memory unit to store an ID for identification of the portable device; and
- a transmitter unit to transmit the ID to the camera,
- said camera comprising:
 - a receiver unit to receive the ID from the portable device;
 - an image pick-up unit to start its image pick-up operation when receiving the ID; and

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a transmitter unit to transmit the ID and the photographed image data to the server,

said server comprising:

a receiver unit to receive the ID and the image data from the camera;

a memory unit to store information indicative of the ID and a transmission destination of the image data corresponding to the ID; and

a transmitter unit to transmit the received image data to the transmission destination;

wherein said portable device transmits said ID to said camera at intervals of a constant time.

Similar to independent claim 1, the camera system of independent claim 6 includes an ability to transmit the ID at constant time intervals. As previously discussed, this particular feature is not shown or suggested by the art of record. Further, Myers appears to teach away from such an arrangement.

It is therefore respectfully submitted that independent claim 6 is allowable over the art of record.

Claims 7, 16, and 17 depend from independent claim 6, and are therefore believed allowable for at least the reasons set forth above with respect to independent claim 6. In addition, these claims each introduce novel elements that independently render them patentable over the art of record.

Independent claims 10-12 disclose devices that include a transmitter unit capable of transmitting an ID at constant time intervals. As discussed above with respect to independent claim 1, the art of record fails to provide any disclosure or suggestion for such a feature.

It is therefore respectfully submitted that independent claims 10-12 are allowable over the art of record.

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Independent claim 13 defines an image pickup method in a camera system that has a portable device and a camera. The method comprises the steps of:

- receiving an ID at intervals of a constant time for identification of the portable device from the portable device;
- starting image pick-up operation when the camera receives the ID; and
- transmitting photographed image data from the camera to the portable device in such a manner that the portable device writes the photographed image data in a memory medium.

At least one feature of independent claim 13 is the step of transmitting the ID from the portable device at constant time intervals. As previously discussed, such a feature provides various benefits including, for example, security monitoring as well as natural photographs. Such a feature is not disclosed or suggested by the art of record.

It is therefore respectfully submitted that independent claim 13 is allowable over the art of record.

Independent claims 14 and 15 define image pickup methods that also include a feature of transmitting the ID at constant time intervals. Accordingly, these claims are believed to be allowable over the art of record for at least the reasons stated above with respect to independent claim 1.

Claims 18-25 are newly presented and depend from various independent claims that have been previously discussed. Accordingly, these claims are believed to be allowable for at least the reasons set forth above with respect to the independent claims from which they depend. Additionally, these claims also include additional features that independently render them patentable over the art of record. For example, each of these claims include a portable terminal that has a capability

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for turning the ID transmission feature on and off in order to reduce power consumption. This feature is also not shown or suggested by the art of record.

For the reasons stated above, it is respectfully submitted that all of the pending claims are now in condition for allowance. Therefore, the issuance of a Notice of Allowance is believed in order, and courteously solicited.

If the Examiner believes that there are any matters which can be resolved by way of either a personal or telephone interview, the Examiner is invited to contact Applicants' undersigned attorney at the number indicated below.

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AUTHORIZATION

Applicants request any shortage or excess in fees in connection with the filing of this paper, including extension of time fees, and for which no other form of payment is offered, be charged or credited to Deposit Account No. 01-2135 (Case: 500.42938X00).

Respectfully submitted,
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